

U.S. District Court
U.S. District Court for the Northern District of Oklahoma (Tulsa)
CRIMINAL DOCKET FOR CASE #: 4:18-mj-00041-FHM-1

Case title: USA v. Smith

Date Filed: 04/05/2018

Other court case number: 17-cr-327-6 USDC WD/LA

Assigned to: Magistrate Judge
Frank H McCarthy

Defendant (1)

Richard Alan Smith

represented by **Stephen James Greubel**
Federal Public Defender's Office (Tulsa)
1 W 3rd St STE 1225
TULSA, OK 74103
918-586-7656
Fax: 918-586-7630
Email: stephen_greubel@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
*Designation: Public Defender or Community
Defender Appointment*

Pending Counts

None

Disposition

Highest Offense Level
(Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level
(Terminated)

None

Complaints

18:3 Accessory After the Fact to
the Murder of Clifton Hallmark

Disposition

Plaintiff

USA

represented by **Joseph Franklin Wilson**

United States Attorney's Office (Tulsa)

110 W 7TH ST STE 300

TULSA, OK 74119-1013

918-382-2700

Fax: 918-560-7954

Email: joe.wilson@usdoj.gov**LEAD ATTORNEY****ATTORNEY TO BE NOTICED***Designation: Government Attorney**(local,state,federal)*

Date Filed	#	Page	Docket Text
04/05/2018		3	ARREST on Charges Pending in Another District(Rule 5) as to Richard Alan Smith (1) (tjc, Dpty Clk) (Entered: 04/05/2018)
04/05/2018	1	4	Oral MOTION for Detention , Oral MOTION for Hearing by USA as to Richard Alan Smith (1) (tjc, Dpty Clk) (Entered: 04/05/2018)
04/05/2018	<u>2</u>	5	MINUTES of Proceedings – held before Magistrate Judge Frank H McCarthy: Initial Appearance in Rule 5 Proceedings held on 4/5/2018 , ruling on motion(s)/document(s): #1 moot, appointing FPD attorney Stephen James Greubel for Richard Alan Smith, ordering defendant be detained as to Richard Alan Smith (1) (Re: 1 Oral MOTION for Detention Oral MOTION for Hearing) (Court Reporter: C2) (sdc, Dpty Clk) (Entered: 04/05/2018)
04/05/2018	<u>3</u>	6	ORDER by Magistrate Judge Frank H McCarthy , appointing FPD attorney as to Richard Alan Smith (1) (sdc, Dpty Clk) (Entered: 04/05/2018)
04/05/2018	<u>4</u>	7	WAIVER of Rule 5 Hearing by Richard Alan Smith (1) (sdc, Dpty Clk) (Entered: 04/05/2018)
04/05/2018	<u>5</u>	8	COMMITMENT to Another District (Rule5) by Magistrate Judge Frank H McCarthy as to Richard Alan Smith (1) (sdc, Dpty Clk) (Entered: 04/05/2018)

MIME-Version:1.0
From:CM-ECFMail_OKND@oknd.uscourts.gov
To:Courtmail@localhost.localdomain
Bcc:
--Case Participants: Joseph Franklin Wilson (anna.montgomery@usdoj.gov, celeste.allen@usdoj.gov, joe.wilson@usdoj.gov, leo.martinez3@usdoj.gov, theresa.craft@usdoj.gov), Magistrate Judge Frank H McCarthy (fhmintake_oknd@oknd.uscourts.gov)
--Non Case Participants:
--No Notice Sent:

Message-Id:2062488@oknd.uscourts.gov
Subject:Activity in OKND case 4:18-mj-00041-FHM USA v. Smith - Arrest (Rule 5)
Content-Type: text/html

U.S. District Court

U.S. District Court for the Northern District of Oklahoma

Notice of Electronic Filing

The following transaction was entered on 4/5/2018 at 1:44 PM CDT and filed on 4/5/2018

Case Name: USA v. Smith

Case Number: 4:18-mj-00041-FHM

Filer:

Document Number: No document attached

Docket Text:

ARREST on Charges Pending in Another District(Rule 5) as to Richard Alan Smith (1) (tjc, Dpty Clk)

4:18-mj-00041-FHM-1 Notice has been electronically mailed to:

Joseph Franklin Wilson joe.wilson@usdoj.gov, anna.montgomery@usdoj.gov, celeste.allen@usdoj.gov, leo.martinez3@usdoj.gov, theresa.craft@usdoj.gov

4:18-mj-00041-FHM-1 Notice has not been electronically mailed to:

MIME-Version:1.0
From:CM-ECFMail_OKND@oknd.uscourts.gov
To:Courtmail@localhost.localdomain
Bcc:
--Case Participants: Joseph Franklin Wilson (anna.montgomery@usdoj.gov, celeste.allen@usdoj.gov, joe.wilson@usdoj.gov, leo.martinez3@usdoj.gov, theresa.craft@usdoj.gov), Magistrate Judge Frank H McCarthy (fhmintake_oknd@oknd.uscourts.gov)
--Non Case Participants: United States Marshal (okn.usms.ops@usdoj.gov)
--No Notice Sent:

Message-Id:2062523@oknd.uscourts.gov
Subject:Activity in OKND case 4:18-mj-00041-FHM USA v. Smith - Motion for Detention
Content-Type: text/html

U.S. District Court

U.S. District Court for the Northern District of Oklahoma

Notice of Electronic Filing

The following transaction was entered on 4/5/2018 at 2:17 PM CDT and filed on 4/5/2018

Case Name: USA v. Smith
Case Number: 4:18-mj-00041-FHM
Filer: USA
Document Number: 1(No document attached)

Docket Text:

Oral MOTION for Detention , Oral MOTION for Hearing by USA as to Richard Alan Smith (1) (tjc, Dpty Clk)

4:18-mj-00041-FHM-1 Notice has been electronically mailed to:

Joseph Franklin Wilson joe.wilson@usdoj.gov, anna.montgomery@usdoj.gov, celeste.allen@usdoj.gov, leo.martinez3@usdoj.gov, theresa.craft@usdoj.gov

4:18-mj-00041-FHM-1 Notice has not been electronically mailed to:

CRIMINAL INFORMATION SHEET

Date: 4/5/2018

Judge: ☒ MJ McCarthy Deputy: ☒ Tami Calico

USPO: Laurel Tucker

MJ Cleary

Stephanie Cope

Interpreter: Yes ☒ No

MJ Jayne

Camie Portilloz

Case No. 18-MJ-41-FHM USA v. Richard Alan Smith

Date of Arrest: 04/05/2018 Arrested By: US Marshal Service ☒ Detention Requested by AUSA

Bail Recommendation: Unsecured

Additional Conditions of Release:

a.	b.		p (	1,	2,	3,	4,	5,	6)
c.	d.		q (	1,	2,	3,	4,	5,	6, 7, 8)
e.			r (	1,	2,	3,	4,	5,	6)
f.	g.	h.	i.	j.	s				
k.	l.	m.	n.	o.	t (other)				

Defendant Requests Federal Public Defender/Ct. Appt. Counsel: ☒ Yes No

Defendant's Attorney: Stephen Greubel ☒ FPD; Ct. Appt; Ret Counsel

AUSA: Joseph F. Wilson

MINUTES:

Interpreter: _____; ☐ Sworn

☒ Defendant appears in person for IA on: ☐ Indictment; ☐ Information; ☐ Complaint; ☐ Petition; ☒ Rule 5
with: ☐ Ret Counsel; ☒ FPD; ☐ Ct. Appt; ☐ w/o Counsel

☒ Financial Affidavit received and FPD/CJA appointed; ☒ Present ☐ Not Present

Defendant's name as reflected in the indictment/information/complaint/petition/Rule 5 is the true and correct legal name:

☐ Verified in open court

☐ Corrected by interlineation to _____
to reflect Defendant's true and correct name and all previous filings are amended by interlineation to reflect same.

☐ Unable to verify in open court: ☐ U.S. Atty. to verify & advise court; ☐ Defendant's Attorney to verify & advise court;

Waivers executed and filed: ☐ of Indictment; ☐ of Preliminary Exam; ☐ of Detention Hearing; ☒ of Rule 5 Hearings

☐ Bond set for _____; Bond and conditions of release executed

☐ Government's Motion for Detention and Detention Hearing filed in open court

☐ Arraignment held and Defendant pleads Not Guilty; Court accepts plea; ☐ Scheduling dates to be mailed to counsel

☐ Initial Appearance continued to: _____ at _____ a.m./p.m.

☐ Arraignment scheduled: _____ at _____ a.m./p.m.

☐ Detention Hearing scheduled: _____ at _____ a.m./p.m.

☐ Preliminary Exam scheduled: _____ at _____ a.m./p.m.

☐ Defendant remanded to custody of U.S. Marshal: ☐ Pending further proceeding; ☐ Pending release on bond for treatment

Mot. for Detention # 1: ☐ Granted; ☐ Denied; ☒ Moot Mot. for Hearing # 1: ☐ Granted; ☐ Denied; ☒ Moot

Additional Minutes: Oral motions for Detention & Hearing

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Case No. 18-mj-41-FHM

Richard Alan Smith,

Defendant.

ORDER APPOINTING COUNSEL

Defendant has completed an affidavit as to his/her financial ability to employ counsel. Upon review, the Court finds that Defendant is financially unable to obtain counsel. In accordance with the Northern District of Oklahoma Plan for Implementing the Criminal Justice Act of 1984, the Court finds and orders as follows:

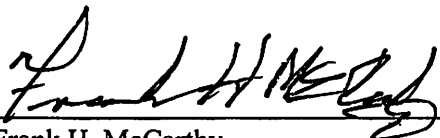
✓ Stephen Greubel, the Federal Public Defender is appointed to represent Defendant in all further proceedings until relieved by order of the Court.

— _____, an attorney from the Court's panel of private attorneys, established pursuant to the Criminal Justice Act for the Northern District of Oklahoma, is appointed to represent Defendant in all further proceedings until relieved by order of the Court.

— the Court finds that Defendant has the financial ability to make regular, periodic payments to reimburse the government for the reasonable costs of providing Defendant with representation. The Court hereby ORDERS that the defendant pay to the Clerk of the Court \$ _____ per month, on or before the 15th day of each month, continuing until the government has been fully reimbursed for all reasonable costs of providing representation to Defendant, or until further order of the Court.

— Defendant will reimburse the government for the reasonable cost of providing representation in accordance with his/her ability to pay as determined by further order of the court.

Date: 04/05/2018


Frank H. McCarthy
United States Magistrate Judge

UNITED STATES DISTRICT COURT

for the

Northern District of Oklahoma

United States of America

v.

Richard Alan Smith

Defendant

Case No. 18-mj-41-FHM

Charging District's Case No. 6:17-cr-327

WAIVER OF RULE 5 & 5.1 HEARINGS
(Complaint or Indictment)

I understand that I have been charged in another district, the *(name of other court)*

USDC WD/LA Lafayette
Division

I have been informed of the charges and of my rights to:

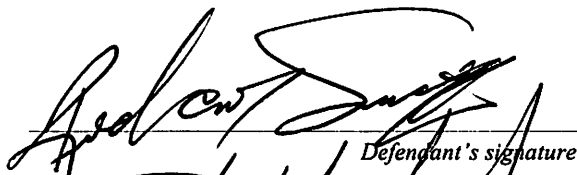
- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing within 10 days of my first appearance if I am in custody and 20 days otherwise — unless I am indicted — to determine whether there is probable cause to believe that an offense has been committed;
- (5) a hearing on any motion by the government for detention;
- (6) request transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

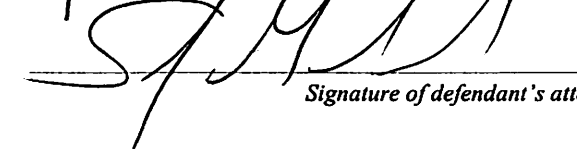
I agree to waive my right(s) to:

- ☐ an identity hearing and production of the warrant.
- ☐ a preliminary hearing.
- ☐ a detention hearing.
- ☒ an identity hearing, production of the warrant, and any preliminary or detention hearing to which I may be entitled in this district. I request that those hearings be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: Apr 5, 2018


Defendant's signature


Signature of defendant's attorney

UNITED STATES DISTRICT COURT

for the

Northern District of Oklahoma

United States of America

v.

Richard Alan Smith

Defendant

Case No. 18-mj-41-FHM

Charging District's

Case No. 6:17-cr-327

COMMITMENT TO ANOTHER DISTRICT

The defendant has been ordered to appear in the USDC WD/LA Lafayette Division.

The defendant may need an interpreter for this language: _____.

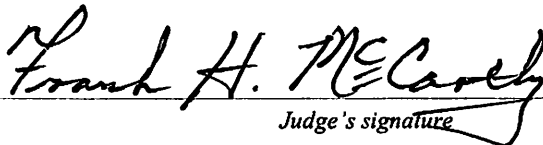
The defendant: ☐ will retain an attorney.

☐ is requesting court-appointed counsel.

The defendant remains in custody after the initial appearance.

IT IS ORDERED: The United States marshal must transport the defendant, together with a copy of this order, to the charging district and deliver the defendant to the United States marshal for that district, or to another officer authorized to receive the defendant. The marshal or officer in the charging district should immediately notify the United States attorney and the clerk of court for that district of the defendant's arrival so that further proceedings may be promptly scheduled. The clerk of this district must promptly transmit the papers and any bail to the charging district.

Date: Apr 5, 2018



Judge's signature

Frank H. McCarthy, U.S. Magistrate Judge

Printed name and title